

Introduced by Senator Anderson

December 6, 2010

An act to add Section 17281 to the Government Code, relating to registered warrants.

LEGISLATIVE COUNSEL'S DIGEST

SB 11, as introduced, Anderson. Registered warrants.

Existing law authorizes a taxpayer who is a payee named in registered warrant, under certain circumstances, to delay the payment of specified tax liability until the registered warrant is payable by the state.

This bill would prohibit a state entity from assessing a fine, interest, or penalty, based on a debt owed to the state by an individual who or entity that is a payee named in a registered warrant, from the date the state issued the registered warrant until at least 30 days after the date the registered warrant is payable by the state. This bill would also, notwithstanding any other provision, make a debt owed to the state by an individual who or entity that is a payee named in a registered warrant not be due before 30 days after the date the registered warrant is payable upon presentation to the state. The bill would limit these provisions to an individual or entity that is a payee in a registered warrant and is subject to a state fine, interest, or penalty that was imposed between January 1, 2006, and December 31, 2009, inclusive.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17281 is added to the Government Code,
2 to read:

- 1 17281. (a) No state entity shall assess a fine, interest, or penalty
2 based on a debt owed to the state by an individual or entity who
3 is a payee named in a registered warrant, as defined in Section
4 17221, that was received in payment of an obligation the state
5 owes to that individual or entity, in an amount not to exceed the
6 amount of the registered warrant, including any interest thereon,
7 from the date the state issued the registered warrant to the
8 individual or entity until 30 days after the date the registered
9 warrant is payable upon presentation to the state.
- 10 (b) Notwithstanding any other provision, a debt owed to the
11 state by an individual who or entity that is a payee named in a
12 registered warrant, as defined in Section 17221, shall not be due
13 before at least 30 days after the date the registered warrant is
14 payable upon presentation to the state.
- 15 (c) This section shall apply only to an individual who or entity
16 that is a payee named in a registered warrant, as defined in Section
17 17221, and is subject to a fine, interest, or penalty based on a debt
18 owed to the state that was imposed between January 1, 2006, and
19 December 31, 2009, inclusive.